

Speak up & be heard

CONSUMER REGISTER lists summaries of major consumer proposals before Federal agencies. If you wish to submit written comments, include your name & address, state the name & *Federal Register* citation of the proposal on which you are commenting and explain your views briefly & clearly.

Mercury in cosmetics

Food & Drug Administration has banned use of mercury in cosmetics & skin-bleaching preparations with 2 exceptions.

As of Jan. 5, FDA prohibited the sale to retailers of skin-bleaching preparations & other beauty & facial preparations containing mercury. Supplies already in retailers' stock may be sold to consumers.

As of July 5, FDA will permit no more than unavoidable trace amounts of mercury in all cosmetics except eye makeup. FDA will permit mercury (no more than 0.0065% of the product) as a preservative in eye makeup because mercury compounds are effective in preventing contamination of cosmetics & eye infection, which could cause serious eye injury, including blindness. FDA said no effective & safe nonmercurial preservative is now available for eye makeup.

Mercury compounds have been used as preservatives in hand & body creams & lotions, hair preparations, bath oils & other bath preparations, makeup, antiperspirants & deodorants as well as eye-area cosmetics. Mercury-containing preparations also have been sold as skin-bleaching agents & to remove or prevent freckles & brown spots (so-called age spots).

FDA said regular use of mercury-containing products can cause mercury buildup in the body, which can result in severe side effects. FDA also said the effectiveness of skin-bleaching agents containing mercury is questionable.

Support for the ban came from 11 of the 13 consumers who commented on the proposed ban. American Medical Association & a medical school faculty member also supported the ban. Two consumers & 5 manufacturers opposed the ban.

Details—*Federal Register*: June 30, page 12967; Jan. 5, page 853; CONSUMER REGISTER: Aug. 1.

Charter tours

Feb. 12 is deadline for comments on a Civil Aeronautics Board proposal to allow both domestic & foreign scheduled airlines to provide transportation for inclusive tour charters. ("Inclusive tour charter" is the term for a trip in which a tour operator—such as a travel agent—arranges a packaged tour consisting of air & ground transportation & accommodations during the tour.)

At present, only domestic nonscheduled (or supplemental) airlines & certain foreign charter airlines are authorized to provide air transportation for such tours.

In announcing the proposal, CAB said its tentative opinion was that domestic & foreign scheduled airlines would provide consumers with a wider range of tour programs, frequencies & destinations than are offered now by tour operators using nonscheduled airlines.

Details—*Federal Register*: Jan. 12, page 1396. Send comments to Docket Section, Civil Aeronautics Board, Washington, DC 20428.

Food labeling

Consumer comments are solicited on many aspects of Food & Drug Administration's 12-part program for labeling packaged foods. See this issue of CONSUMER NEWS, page 1.

Details—*Federal Register*: Jan. 19, page 2124.

Artists' paints

March 4 is deadline for comments on Food & Drug Administration's proposal to exempt artists' paints & related materials from the ban on lead-based paints, which became effective Dec. 31, 1972.

Under the Federal Hazardous Substances Act, FDA banned most paints containing more than 1/2% lead & intended for use around the home because of the tendency of some children to eat dried paint chips & suffer ill effects, including mental retardation.

FDA proposed the exemption after receiving adverse responses about artists' materials (specifically those containing lead carbonate which is used for white hues) being included in the lead paint ban. These comments said that (1) lead is a necessary component of artists' paints; (2) no satisfactory substitute is currently available; (3) it is not likely that children would eat this paint or its dried film.

Details—*Federal Register*: Jan. 4, page 799. Send comments to Hearing Clerk, Health Education & Welfare Dept., 5600 Fishers Lane, Rockville, MD 20852.

Chitterlings

March 6 is deadline for comments on an Agriculture Dept. proposal permitting chitterlings in nonstandardized meat food products. Appropriate descriptive labeling would be required.

Chitterlings—the large intestines of swine & calves—have been used for human food for many years but have been prohibited by Agriculture from use as ingredients in Federally inspected meat products. Under the proposal, chitterlings would be marketed under such names as "chitterling loaf," "chitterling pie," or "calf chitterlings & gravy."

Details—*Federal Register*: Jan. 18, page 1746. Send comments to Hearing Clerk, Agriculture Dept., Washington, DC 20250.

Bottled water

March 9 is deadline for comments on a Food & Drug Administration proposal to set quality standards for bottled drinking water.

Recent analyses by FDA & Environmental Protection Agency have shown that some bottled water does not meet standards set by Public Health Service. For example, a 1971 FDA survey showed that 8 out of 85 samples

tested contained more bacteria than standards allow.

An EPA survey of 50 bottled water products from 25 bottling firms showed that 8% contained harmful bacteria & some of the samples exceeded Public Health Service standards for dissolved solids, copper or lead.

Details—*Federal Register*: Jan. 8, 1973, page 1019. Send comments to Hearing Clerk, Health, Education & Welfare Dept., 5600 Fishers Lane, Rockville, MD 20852.

Exposure levels

National Institute for Occupational Safety & Health of Health, Education & Welfare Dept. is seeking information from consumers by March 17 so it can develop standards for safe on-the-job exposure levels to these chemical substances: ammonia, arsenic, carbon tetrachloride, chloroform, fluorides, hexavalent chromium compounds, methylene chloride, nitric acid, nitric oxide, nitrogen dioxide & sodium hydroxide.

Anyone with information not generally covered in scientific journals on such topics as over exposure & protective work practices & procedures, including warning devices & labels should write Assistant Director for Research & Standards Development, National Institute for Occupational Safety & Health, 5600 Fishers Lane, Rockville, MD 20852.

Details—*Federal Register*: Dec. 27, page 28533.

Headlights

April 18 is deadline for comments on 4 Transportation Dept.'s proposals dealing with Motor Vehicle Safety Standard No. 108 on Lamps, Reflective Devices & Associated Equipment. These proposals are "the most significant upgrading of the vehicle lighting requirements that can be achieved by the proposed effective dates," according to National Highway Traffic Safety Administration. (An advance notice of rulemaking was published in *Federal Register*: Dec. 31, 1969.)

The following are major provisions of the proposals:

- Signalling & rear lighting systems.

Stoplights would be separated from all other rear lights. They would be at least 5 inches apart from rear turn-signal lights. Stoplights would not be mounted outside of or lower than tail lights & turn signal lights. All signal lights in the rear of a car would be a minimum of 48 inches apart & still be as close to the edge of the car as practicable. In addition, red for rear turn lights & yellow for front parking lights would be the only colors allowed. Proposed effective date would be Sept. 1, 1977.

- Forward illumination system.

A 3-beam, 4-headlight system is proposed as one of 3 options for all vehicles except motorcycles. This system would use a middle beam for lighting on rural highways & divided highways & would generally improve front lighting to reduce the hazard of driving faster than the headlight range. Its high beam would have over twice the candlepower of today's system for traffic-free roads. The low beam would have a more directed output for oncoming traffic. Two other allowable options would be a 3-beam, 2-light system & an improved 2-beam, 2-light system. Proposed effective date would be Sept. 1, 1977.

Five different motorcycle headlight systems are proposed that would be effective Sept. 1, 1974. Each would have either 1 or 2 headlights. These would be reduced to three systems by Sept. 1, 1977.

- Lamp bulbs & lamp assemblies.

Improved requirements for lighting switches are proposed that would assure better performance. Proposed effective date would be Sept. 1, 1974.

- Miscellaneous changes.

Among the other requirements proposed would be (1) side turn signal lights to be near the front & at least 32 inches from the road surface; (2) turn signal lights, if combined with other lights, to be able to flash from high intensity to "off." Proposed effective dates would be Sept. 1, 1974.

Details—*Federal Register*: Oct. 25, page 22801. Send comments to Docket Section, National Highway Traffic Safety Administration, 400 Seventh St. SW, Washington, DC 20590.

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